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December 18, 2002

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VIA ELECTRONIC DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: *Ex Parte* Written Presentation: IB Docket No. 01-185

Dear Ms. Dortch:

Today, Iridium Satellite LLC ("Iridium"), through its attorneys, held telephone conversations with, and submitted the attached written *ex parte* presentation to, Bryan Tramont, Senior Legal Advisor to Chairman Powell, John Branscome, Acting Legal Advisor to Commissioner Kathleen Abernathy, Sam Feder, Legal Advisor to Commissioner Kevin Martin, and Paul Margie, Legal Advisor to Commissioner Michael Copps.

Iridium urged the Federal Communications Commission ("FCC") to afford the Big LEO licensees a 90 day window in which to negotiate resolution of allocation, technical and non-interference standards pursuant to specified ground rules.

Pursuant to Section 1.1206 of the FCC's rules, an original and one copy of this letter and the written presentation is being filed. Please do not hesitate to contact me with any questions.

Respectfully Submitted,

Richard E. Wiley
Counsel to Iridium Satellite LLC

cc (via email): Chairman Michael Powell
Commissioner Kathleen Abernathy
Commissioner Kevin Martin
Commissioner Michael Copps
Commissioner Jonathan Adelstein

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Bryan Tramont
John Branscome
Sam Feder
Paul Margie
Barry Ohlson
Don Abelson
Chris Murphy
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BIG LEO SPECTRUM AND ATC PLAN

The FCC is considering how best to promote mobile satellite services to the American public. In the Big LEO spectrum bands, there are only two licensees – Iridium and GlobalStar. As documented in the record before the Commission, there is a pressing need to correct the outdated spectrum band plan for Big LEO operators that was premised nearly a decade ago on the belief that five licensees would be competing in the spectrum allocated. Indeed, as documented in previous filings, a decision to extend ATC authority to Big LEO licensees before – rather than after – correcting the spectrum band plan will have damaging real world effects.

In view of these compelling circumstances, the Commission should consider a simple solution to the Big LEO conundrum of ensuring that both of the two licensees have a strong and healthy future under new flexible spectrum policies. Specifically, the Commission should direct Iridium and GlobalStar to undertake a negotiated resolution of the spectrum allocation and interference issues under the following ground rules:

- Iridium and GlobalStar would be afforded a 90 day window in which to reach a negotiated resolution of allocation, technical and non-interference standards.
- The parties would be directed to conduct negotiations under the following basic parameters:
 1. The negotiations should result in comparable and equitable spectrum allocations for the two licensees for Big LEO satellite services.
 2. The negotiations should result in comparable and equitable spectrum allocations for the two licensees for ATC uses consistent with Commission requirements.
 3. The negotiations should be conducted in good faith.
- Pending the 90 day negotiation period, the implementation of ATC by Big LEO operators would be deferred and any experimental authorizations suspended.
- Failure to negotiate in good faith would result in deferral of ATC authority for that party pending the outcome of a formal notice and comment rulemaking by the Commission.
- If Iridium and GlobalStar cannot reach a negotiated resolution within 90 days from the public notice, the Commission would proceed to resolve the issues through formal notice and comment rulemaking processes.

BOTTOM LINE: THE TWO BIG LEO LICENSEES SHOULD BE AFFORDED AN OPPORTUNITY TO RESOLVE SPECTRUM ALLOCATION AND USE ISSUES RAPIDLY THROUGH NEGOTIATIONS RATHER THAN RELYING UPON THE TRADITIONAL AND TIME CONSUMING FORMAL FCC RULEMAKING PROCESS.